

**BISHOP JOHN ROBINSON CHURCH OF ENGLAND
PRIMARY SCHOOL**



**Dignity and Respect At
Work (Equalities) Policy**

**Be the best we can;
Join in learning, play and prayer,
Remember God's Word.**

Implemented	December 2015
Presented by	Head teacher
Ratified by Governors	September 2016
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Mission Statement



We want all adults and children to: **Be the best they can** in order to have best possible start in life and to make the most of the gifts God has given. To achieve this we;

- Set ambitious targets for all pupils and staff
- Continually look for ways to improve
- Have high expectations of behaviour for all

We encourage children to: **Join in Learning**, to promote academic excellence and to inspire everyone to value the importance of education in wider society. To achieve this we;

- Provide an engaging curriculum with opportunities for learning in a variety of contexts
- Strive for all lessons to be focussed and engaging to allow all children to achieve
- Support deeper levels of understanding so that children can apply learning to different settings

For children to: **Join in Play** is important at BJR because Play is essential for everyone's social and emotional development. It is a vital life skill which helps children to form the adult they will become building trust, forgiveness and resilience. To promote positive play we;

- Have dedicated staff who promote play EVERY PLAYTIME
- Promote the importance of play through PLAY DAYS
- Invest in the playground as a learning resource

We want the school community to: **Join in Prayer** as Christians believe that this is fundamental to developing a relationship with God as well as giving thanks and praise. We encourage this though;

- High quality collective worship for all children
- Daily acts of prayer
- Valuing the essential role of our School Chaplain

We believe that we should: **Remember God's Word**, as this is at the very Foundation of being a Christian school. In promoting a practical understanding and application of Christian Values we strive to; *"Train up a child in the way he should go, And when he is old he will not depart from it"* Proverbs 22:6 (NKJV) through;

- Providing High quality RE teaching and daily collective worship for all children
- Regular visits to church and other places of worship

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1. The Scope of this Policy

This policy

1.1. seeks to prevent and/or eliminate discrimination, harassment and victimisation by managers, employees, contractors, agency staff and anyone else engaged to work at the organisation, whether by direct contract with the organisation or otherwise. If the complainant or alleged harasser is not employed by the Royal Borough of Greenwich, eg if the worker's contract is with an agency, this policy will apply with any necessary modifications such as that Royal Greenwich could not dismiss the worker but would instead make a decision to terminate the contract and require the agency to remove the worker, if appropriate, after investigation and disciplinary proceedings; and

1.2. covers discrimination, harassment and victimisation in the workplace and in any work-related setting outside the workplace, eg business trips and work-related social events;

in each case insofar it relates to a protected characteristic referred to in the Equalities Act 2010; and

1.3. seeks to create a work environment free of discrimination, harassment, victimisation and bullying, where everyone is treated with dignity and respect.

2. Our commitment

2.1. Discrimination, harassment and victimisation can have very serious consequences for individuals, staff at **Bishop John Robinson Primary school** and Royal Greenwich as a whole:

- Discrimination, harassment and victimisation may make people unhappy, may cause them stress and affect their health and family and social relationships, may affect their work performance and could cause them to leave their job. Severe cases of harassment and bullying can even lead to mental illness and suicide.
- Effects on the organisation can include loss of morale, poor work performance, increased turnover of staff, legal claims and damage to the reputation of the organisation.
- Any employee culpable of discrimination, harassment; victimisation or bullying may face disciplinary penalties, up to and including dismissal,

could be personally liable to pay compensation in legal claims, and may find their own family and social relationships are adversely affected.

- Harassment may be a criminal offence.

2.2. Royal Greenwich and staff at **Bishop John Robinson Primary school** will not tolerate bullying and harassment of any kind. All allegations of discrimination, harassment, victimisation and bullying will be investigated and, if appropriate, disciplinary action will be taken.

2.3. Royal Greenwich and staff at **Bishop John Robinson Primary school** recognises it has a duty to take reasonable care to protect all employees health and welfare and to provide a workplace free from harassment.

Each employee's contract of employment includes a contractual right to work in a safe environment and the implied duty of mutual trust and confidence. What is discrimination, harassment and victimisation?

2.4. Discrimination

Types of discrimination

2.4.1. Direct discrimination is where a person is treated less favourably than another because of one of the following:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race (which includes but not limited to colour, nationality and ethnic and national origins);
- Religion or Belief
- Sex
- Sexual Orientation

(collectively "**Protected Characteristics**" insofar as set down in the Equalities Act 2010 or any amendment thereto).

2.4.2. Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant Protected Characteristic such that it would be to the detriment of people who share that Protected Characteristic compared with people

who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

2.4.3. **Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a Protected Characteristic.

2.4.4. **Perceptive discrimination** is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular Protected Characteristic when he/she does not, in fact, have that Protected Characteristic;

2.4.5.

2.5. Harassment

2.5.1. Is unwanted conduct related to relevant Protected Characteristics, that:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating his/her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her, even if this effect was not intended by the person responsible for the conduct.

2.6. Victimisation

2.6.1. Victimisation is subjecting a person to a detriment, as perceived by that person, because he/she has, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing him/her or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because he/she has made a complaint or giving him/her a heavier or more difficult workload or otherwise less work.

2.7. How discrimination, harassment and victimisation can occur

2.7.1. Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a "joke" may offend another person. Different people find different things acceptable.

Everyone has the right to decide what behaviour is acceptable to him/her and to have his/her feelings respected by others.

- 2.7.2. Behaviour; depending on the circumstance of the event; which any person; would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to him/her, eg sexual touching.
- 2.7.3. It may not be so clear in advance that some other forms of behaviour would be unwelcome to, or could offend, a particular person, e.g. certain "banter", flirting or asking someone for a private drink after work. In these cases; depending on the circumstance of the event; first-time conduct which unintentionally causes offence will not be harassment but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to him/her.
- 2.7.4. Harassment may also occur where a person engages in unwanted conduct towards another because he/she perceives that the recipient has a Protected Characteristic
- 2.7.5. Similarly, harassment could take place where an individual is bullied or harassed because of another person with whom the individual is connected or associated,.
- 2.7.6. There may also be circumstances in which an individual is subjected to unwanted conduct from a third party, such as a client or customer. For example, it might be that a client makes a series of racist remarks. If an employee feels that he/she has been bullied or harassed by customers, suppliers, vendors or visitors, he/she should report any such behaviour to their manager who will take appropriate action.
- 2.7.7. Discrimination, harassment and victimisation of customers, suppliers, vendors or visitors or others will appropriately be considered under this policy.
- 2.7.8. A single incident can be harassment.
- 2.7.9. Provided that complaints are made in good faith, ie the complainant genuinely believes that what they are saying is true, individuals have a right not to be victimised for making a complaint and Royal Greenwich will take appropriate action to deal with any alleged victimisation, which

may include disciplinary action against anyone found to have victimised the complainant.

2.7.10. Making a complaint that is known to be untrue, or giving evidence that is known to be untrue, may lead to disciplinary action being taken against individuals concerned.

2.7.11. All discrimination, harassment and victimisation is misconduct and is a disciplinary offence which will be dealt with under Royal Greenwich's disciplinary policy.

2.7.12. Discrimination, harassment or victimisation will constitute unlawful discrimination where it relates to one of the Protected Characteristics,

2.7.13. Serious discrimination, harassment or victimisation may amount to other civil or criminal offences, eg a civil offence under the Protection from Harassment Act 1997 and criminal offences of assault.

3. Responsibilities

3.1. We all have a responsibility to create and maintain a work environment free of discrimination, harassment and victimisation. You can do this by:

- being aware of how your own behaviour may affect others and changing it, if necessary - you can still cause offence even if you are "only joking" / partaking in "workplace banter";
- having regard for and treating an informant respectfully and that they do not suffer any detriment;
- treating your colleagues and all employees with dignity and respect;
- taking a stand if you are of the opinion inappropriate jokes or comments are being made;
- making it clear to others when in your opinion you find their behaviour unacceptable;
- interceding, if possible, to endeavour to stop discrimination, harassment or victimisation and giving support to recipients; and / or
- reporting discrimination, harassment and victimisation to your manager or human resources and supporting the investigation of complaints; and

in each case, not prejudging or victimising the complainant or alleged harasser.

3.2. Employees also have a responsibility to:

- ensure that they are fully aware of and adhere to policies and procedures relating to acceptable conduct;

3.3. attempt to, where possible, resolve any disagreements with managers or colleagues informally in the first instance; Managers have a responsibility to:

- set a good example by their own behaviour
- ensure that there is a supportive working environment;
- maintain the confidentiality of and to ensure the continued wellbeing of an informant;
- make sure that staff know what standards of behaviour are expected of them;
- intervene to stop discrimination, harassment and victimisation;
- ensure any unfounded/malicious allegation is dealt with under the Disciplinary Procedure; and
- report promptly to human resources any complaint of discrimination, harassment or victimisation, witnessed by them and/or made know to them.

4. Examples of discrimination, harassment or victimisation

4.1. Discrimination, harassment and victimisation is misconduct that is physical, verbal or non-verbal.

4.2. Examples of unacceptable behaviour that are covered by this policy include (but are not limited to):

- physical conduct ranging from unwelcome touching to serious assault;
- unwelcome sexual advances;
- the offer of rewards for going along with sexual advances, eg promotion, access to training;
- threats for rejecting sexual advances;

- demeaning comments about a person's appearance;
- unwelcome jokes or comments of a sexual or racial nature or about an individual's age, disability, sexual orientation or religion;
- questions about a person's sex life;
- unwanted nicknames related to a person's age, race or disability;
- the use of obscene gestures;
- excluding an individual because he/she is associated or connected with someone with a protected characteristic;;
- ignoring an individual because he/she is perceived to have a protected characteristic when he/she does not, in fact, have the protected characteristic;;
- the open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person, eg magazines, calendars or pin-ups;spreading malicious rumours or insulting someone;
- ridiculing someone;
- unfair treatment of an employee subjected to a unfounded/malicious allegation;
- isolation or non-cooperation at work;
- making vexatious, malicious and/or unsubstantiated claims regarding colleagues and managers abilities or conduct; and
- excluding someone from social activities.

5. Procedures for handling discrimination; harassment and victimisation

5.1. Informal approach

5.1.1. In the event an employee feels confident do so it may be possible to resolve matters informally as follows:

- The person may not know that his/her behaviour is unwelcome or upsetting. An informal discussion may help him/her to understand the effects of his/her behaviour and agree to change it.

- If an employee feels that he/she is being bullied or harassed they may feel able to approach the person themselves, or with the help of someone in human resources, a manager, trade union representative or another employee.
- The employee should tell the person what behaviour he/she finds offensive and unwelcome, and say that he/she would like it to stop immediately.
- The employee may want to add that, if the behaviour continues, they intend to make a formal complaint to their manager or human resources.
- It is recommended that a note is made of the date and what was said and done. This will be useful evidence if the unacceptable behaviour continues and the employee wishes to make a formal complaint.

5.2. Formal procedure

5.2.1. In the event an employee lacks confidence to deal with the matter informally and/or if an informal approach does not resolve matters, or it is felt that the situation is too serious to be dealt with informally, then an investigation will be conducted in line with Royal Greenwich's Disciplinary Procedure:

- The complainant or his/her manager should refer the matter to HR and to the alleged harasser's manager (if both parties have different managers) to instigate a formal investigation. In very serious cases, a criminal offence may have been committed and employees may wish to report matters to the police.
- All allegations will be investigated promptly and, if appropriate, disciplinary proceedings will be brought against the alleged harasser.
- Both the complainant and the alleged harasser have the right to be accompanied by a work colleague or trade union representative at any formal meeting dealing with the allegation.
- All parties will be kept informed of the general progress of the process of investigation and the outcome of any disciplinary proceedings.

- The disciplinary panel will decide on a balance of probabilities, after considering all available evidence, whether or not discrimination, harassment or victimisation has occurred and the appropriate course of action.
- Please refer to Royal Greenwich's Disciplinary Procedure for further details.

5.3. Confidentiality

- Royal Greenwich will treat complaints of discrimination, harassment and victimisation sensitively and maintain confidentiality to the maximum extent possible.
- Investigation of allegations will normally require limited disclosure on a "need to know" basis. For example, the complainant's identity and the nature of the allegations must be revealed to the alleged harasser, so that he/she is able to respond to the allegations.
- Some details may also have to be given to potential witnesses but the importance of confidentiality will be emphasised to them.
- If the allegation is upheld, and a person who has been found to have committed the harassment is kept in Royal Greenwich's employment, managers may need to be given some information where this is necessary for them to manage the risk of further harassment by that person.

5.4. Working arrangements during and after a discrimination, harassment and victimisation investigation

- All reasonable endeavours will be made to ensure that working arrangements require the parties concerned to have no or minimal contact at work while the complaint is under investigation. In a serious case, the alleged harasser may be suspended while investigation and any disciplinary proceedings are underway should it be deemed that there is a risk associated with him/her remaining in the workplace.

- Whether an allegation is upheld or not mediation will be offered in order to restore positive working relationships. Please refer to the RBG Workplace Mediation Policy for further details.

6. Making this policy work

6.1. The Policy will be publicised and made available to all staff.

The Leadership Team and Governors off at **Bishop John Robinson Primary school** will review the outcomes of cases where complaints of discrimination, harassment and victimisation have been made to check that the proper procedures have been followed and to identify any points that can be learned from those cases and implement any necessary changes.